

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:07CV362

TERRAYLE FENDER,

Plaintiff,

Vs.

CVS PHARMACY, INC.,

Defendant.

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ORDER

THIS MATTER is before the Court on Defendant's motion for summary judgment filed September 2, 2008.

In support of the motion, Defendant filed excerpts from Plaintiff's deposition taken on April 25, 2008. In response to the Defendant's motion, Plaintiff's opposing memorandum was supported as well with excerpts from Plaintiff's deposition.

The Court has examined the parties' briefs and the excerpts submitted, and concludes that a complete transcript of Plaintiff's deposition should be filed to assist the Court in ruling on the motion for summary judgment. Because the Defendant filed the motion, the Court directs that

Defendant file a complete copy of Plaintiff's deposition taken April 25, 2008, on or before **November 26, 2008**.

IT IS SO ORDERED.

Signed: November 21, 2008

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

